The EQUAL Times

The Newsletter of Equality Colorado
PO Box 300476, Denver, CO 80203
(303) 839-5540

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Amendment 2 Goes to Washington

On October 10, the U.S. Supreme Court will hear oral arguments in the case of Evans v. Romer, otherwise known Colorado's Amendment 2 case. Because it has been a while since the elections and the subsequent lower court rulings on the case, we thought we'd take this opportunity to provide a brief refresher on the case. First, the text of Amendment 2 is as follows:

> No protected status based on homosexual, lesbian, or bisexual orientation. Neither the State of Colorado, through any of it branches or departments, nor any of its agencies, political subdivisions, municipalities or school districts, shall enact, adopt or enforce any statute, regulation, ordinance or policy whereby homosexual, lesbian, or bisexual orientation, conduct, practices or relationships shall constitute or otherwise be the basis of, or entitle any person or class of persons to have or claim any minority status, quota preferences, protected status or claim of discrimination. This Section of the Constitution shall be in all respects self-executing.

Some of the key dates in the history of this case:

March, 1991: Colorado For Family Values formed by Kevin Tebedo and Tony Marco
November 3, 1992: Amendment 2 passes
November 12, 1992: Legal team files A2 complaint: Evans v. Romer
January 15, 1993: Temporary injunction granted by District Court Judge Jeffrey Bayless
July 19, 1993: Colorado Supreme Court upholds injunction
October 12 - 22: Trial of Evans V. Romer before Judge Bayless
December 14, 1993: Judge Bayless rules A2 unconstitutional
June 30, 1994: Colorado Supreme Court hears oral arguments
October 11, 1994: Colorado Supreme Court affirms lower court ruling that A2 is unconstitutional (6-1 decision)
October 10, 1995: U.S. Supreme Court to hear oral arguments presented by Jean Dubovsky for the plaintiffs and Tim Tymkovich for the state.

There are currently six plaintiffs in the case who represent different experiences of discrimination based on sexual orientation. The key arguments in the case on behalf of the plaintiffs are that A2 may violate the right of due process and equal protection under the law as guaranteed by the 14th Amendment to the U.S. Constitution. It may also violate freedom of association and expression, the right to petition the government and the separation of church and state as guaranteed by the 1st Amendment.

If enacted gays, lesbians and bisexuals in Colorado would have no legal recourse if discrimination against based on sexual orientation. Currently there are protections

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VIGIL for JUSTICE
and
TOWN MEETING

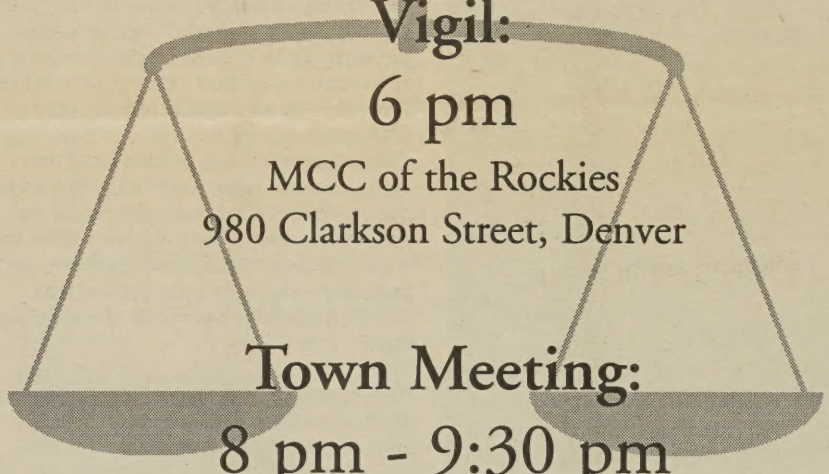
MONDAY, OCTOBER 9

(the evening before Amendment 2 is heard by the U.S. Supreme Court)

FEATURED SPEAKERS:

Melinda Paras
Executive Director
National Gay and Lesbian Task Force

Candace Gingrich
National Coming Out Project Spokesperson
Human Rights Campaign Fund



Vigil:
6 pm
MCC of the Rockies
980 Clarkson Street, Denver

Town Meeting:
8 pm - 9:30 pm
University of Denver Campus
General Classroom Building Auditorium
2040 S. Race Street, Denver

Co-Sponsored by:
Equality Colorado • Colorado Legal Initiatives Project
Human Rights Campaign Fund •National Gay and Lesbian Task Force

For more information, contact Equality Colorado at 303-839-5540

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Get Involved with Voices of Faith We need you!

We are currently working on educational outreach to faith communities throughout the state. We are teaming up with PFLAG's speakers bureau to do speaking engagements in local faith communities. Voices of Faith committee members are contacting local congregations to set up forums/classes on Amendment 2 update, pastoral concerns, upcoming legislative issues and ways local congregations can be involved. You can be involved in this process by joining the Voices of Faith steering committee, becoming a speaker or volunteering in the office.

The second annual "*Claiming the Spirit*" conference will be held on May 16-18, 1996 in Denver. We are looking for interested individuals who would like to serve on the Conference Planning Committee. Please contact Laurene at 303-839-5540 to get involved in any of the work that Voices of Faith is doing.

The Equal Times is the quarterly newsletter of Equality Colorado. Equality Colorado is a non-profit statewide, grassroots lesbian, gay, bisexual and transgendered equal rights advocacy organization. Equality Colorado's mission is to work to secure equality and justice for lesbian, gay, bisexual and transgendered people. We seek to create an environment where people are respected, open dialogue is encouraged and the truth is spoken about the diversity of our family and sexual identities. We work for social change and an understanding of the interrelationship between communities.

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Sue Anderson
Executive Director
Alicia Calderón
Public Policy/Field Director
Laurene Lafontaine
Voices of Faith Director

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Equality Colorado
PO Box 300476
Denver, CO 80203
phone (303) 839-5540
fax (303) 839-1361
email: equalityco @aol.com

Voices of Faith

Coming out: A Personal, Spiritual and Political Process

As most of us know, October is National Coming Out Month. But did you know that October is also Clergy Appreciation Month. I discovered this interesting tidbit by listening to Focus on The Family radio programming while doing outreach in Southern Colorado. I've been meaning to call and see if there is a special appreciation for gay, lesbian or bisexual clergy!! There definitely should be!

It is incredibly ironic that the oral arguments for Amendment 2 are the day before National Coming Out Day. It brings home the feminist axiom, "*The Personal is Political.*" Certainly what happens as a result of the oral arguments, written documents and the decision of the United States Supreme Court Justices will affect us all in very profound and powerful ways. Indeed, the political will then become intensely personal.

It is important to experience the reality that the personal is political as well as the personal being spiritual and **the political being spiritual**. So often, being political is seen as a role for "just" activists and "other people." Yet, we all have the responsibility of being political because it is so personal and spiritual. They go hand in hand. Political is not the antithesis of being spiritual, it is the result of being spiritual. I'm suggesting a definition of spirituality which is based on a right /just relationship: with the divine (however one experiences the divine), with oneself and with others/society. It is living one's life in such a way that respects and honors the divine, self and others. Therefore, being political is an active expression of one's sense of respect and honor.

Take coming out for instance. Coming out is a spiritual event in our lives because it is respecting and honoring the person we are created to be, whether that is gay, lesbian, bisexual, transgendered or heterosexual. Often, we hear and experience quite the opposite response. But when we claim and say who we are, we are saying YES to who we were created to be. It is truly a spiritual and liberating experience. It is also a political statement, because we are telling the truth of our lives, no longer silent and acquiescing to the stereotypes and untruths promoted by the radical right. When we come out, we affirm what Audre Lord said, "(our) silence will not protect (us)." Indeed it is the truth of our lives that will protect us. Coming out is not only a personal or private act. It is a process which is done in community.

As my wonderful friend "a self-avowed snowy white het" Virginia Davidson has said, "What makes people nervous is that lesbian and gay people talk about who they are." We live in a society that is afraid to deal with sexuality or spirituality. In this current society, being dogmatic avoids the underlying problems of homophobia, heterosexism, sexism, racism and other oppressive fears.

Historically, there has always been a struggle with sexuality and spirituality, particularly within the Judeo-Christian tradition. This tradition has been heavily influenced by dualism on which the philosopher Plato based his understanding of human existence within the world. Platonic dualistic thought promotes the notion of opposites: Good and evil, spirit and physical body, spiritual and sexual, and male and female. Spirit, spiritual, male were seen as positive aspects of life. Conversely, the physical body, sexual, and female were seen as negative or evil aspects of human existence. Therefore, sexuality and spirituality were posited as opposites.

This underlying belief is one factor in the current struggle to understand the lesbigay community. Yet, the struggle in our society and religious communities is not so much about the sexuality of gay, lesbian and bisexual persons as it is understanding *human* sexuality within a positive affirming framework.

Spirituality and sexuality are different sides of the same coin. Both express the mysterious connection we experience within ourselves and with the divine. As we come out, we claim our sexuality and spirituality as life-affirming aspects in our lives. Coming out and being out is vitally important as we seek to integrate our sexuality and spirituality. It is our willingness to know ourselves and to be known in relationship and community. It is a politico-spiritual process in which we "participate in shaping a society in which people can be nurtured with justice as individuals in community." [1] So on this National Coming Out Day and Month, take the next step! Be out and proud!

[1] Carter Heyward, *Our Passion for Justice: Images of Power, Sexuality and Liberation.* (New York: Pilgrim Press 1984) p. 47-8.

Join Voices of Faith

Member Benefits:

Our New Voices *of Faith* newsletter 6 issues/ year

▼

Assistance with GLBT issues in your faith community

▼

Knowing you are taking a stand

▼

Member rates at upcoming events

Member levels:
Individuals
$15
Small church/synagogue/faith community:
$50
Large church/synagogue/faith community:
$100

Please sign me/us up!

Name_____

Address_____

City, State,Zip_____

Faith Community (if any)_____

return to: VOF, Equality Colorado, PO Box 300476, Denver, CO 80203

Thank you, thank you, thank you to all of the recent donors and volunteers to Equality Colorado

AT&T
Argonaut Liquors
Basil's Cafe
Blue Note Cafe
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City Spirits Cafe
Event Sense
Gill Foundation
Great Harvest Bread of Denver
Hunt Alternatives Fund
Java Hut
Las Margaritas
Main Attraction
Mayan Theatre
McCormick's Fish House
Metro Express
Newstand Cafe Inc
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Out Front
Ruth Petrick Massage
Tattered Cover Bookstore
The Fourth Story
The Sporting Woman
Videotique
Wellshire Presbyterian Church
Wild Oats Market
Women's Bank
Wynkoop Brewing Co.

and the hundreds of other organizations, businesses and people who have given their time, money and resources.

Equality Colorado would not exist without the assistance of a number of very dedicated and wonderful volunteers! It is not often that they receive the recognition they deserve, and we want to take this opportunity to name some of them and introduce them to you.

Peter Gross has volunteered with Equality ever since I have been on staff, and he has been a great help on any number of projects. His cheerful disposition and willingness to do anything from answering phones, putting together mailings to writing articles is often exactly what we need around here. **Thank you, Peter.**

Lisa Jones has moved and we miss all that she did for Equality. For example, we could hand her a bunch of information and she turned it into articles for the Newsletter or the Activist News. She has been an incredible asset. **Thank-you, Lisa.**

There are a number of others who deserve our thanks and appreciation: Marsha, Denise, Jackie, Cathy, Dan, Karen, Jonathon, Jessica, William, Susan, Kelly, Andrew, Robert, Erica and Mary, Lashawna, Monica, everyone on the board and committees and many, many more.

Thank-you!!

COMING OUT FOR JUSTICE

A Benefit for Equality Colorado 1995

Wednesday Evening • October 11
University of Denver • Driscoll Center North • Ballroom
2055 East Evans Avenue

You are cordially invited to meet and hear our special keynote speaker **Melinda Paras**, executive director of the National Gay & Lesbian Task Force, at a benefit dinner for Equality Colorado. The evening is sponsored by the University of Denver Lesbian, Gay & Bisexual Alliance and the D.U. Lambda Alliance.

6:00 p.m. Reception
7:00 p.m. **Melinda Paras**, keynote
Dinner & Entertainment

TICKETS

$10 for students (with student ID)
$15 for faculty & staff
$25 general admission
Tables of eight are available for $175

For more information, please contact Equality Colorado at 839-5540.

HOST COMMITTEE

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Don Lim
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Matthew McCoy
Carmelita Muñiz
John Nichols
Nanc Osborn
Bradley Spurr
Patrick Welage
Jerry Whitehead
Donnita Wong

Part of the University of Denver's National Coming Out Week 1995. For further information on National Coming Out Week events at DU, please contact the LGBA at 871-2321.

Equality Colorado's mission is to secure equality and justice for lesbian, gay, bisexual and transgendered people. Equality Colorado seeks to create an environment where people are respected, open dialogue is encouraged and the truth is spoken about the diversity of family and sexual identities. Equality works for social change and an understanding of the inter-relationship between communities.

PLEASE RESERVE FOR ME:

Student: ___ x $10 $____
Faculty/staff: ___ x $15 $____
General admission: ___ x $25 $____
Tables for eight: ___ x $175 $____
Additional contribution: $____
TOTAL $____

Name _____
Address _____
Daytime Phone _____ Evening Phone _____
Payment: o MasterCard o VISA o Check (payable to Equality Colorado)
Card # _____ exp. date _____
Signature _____

Please return this portion of your invitation and payment to:
Equality Colorado, P.O. Box 300476, Denver, CO 80203.

Equality Lobby

Legislative News

COLORADO

The Colorado State Legislature is not in session over the summer, but it will be resuming activities in January and we will be there. Once again, we will have professional lobbyists at the legislature making sure that the radical right does dominate the session and that we able be proactive on a number of equal rights and AIDS issues.

Equality Lobby would love to have some new members on the lobby committee or as legislative contacts. We currently have legislative contact in various parts of the state and are seeking people in each house and senate district. It doesn't take a lot of time, but you do need to be willing to make phone calls when an urgent issue comes up. Training to be a legislative contact will be provided.

If you are interested, please contact Alicia at 303-839-5540 to become a legislative contact, get on the lobby phone tree or join the lobby committee. We are making plans for the next session, including reintroducing Hate Crimes legislation. **If you want to be involved in legislative issues, now is the time.**

NATIONAL

The Family "Research" Council
The Family Research Council, one of the many right wing organizations, has been taking a great deal of credit for defeating Dr. Henry Foster's bid to become Surgeon General. They are "proud of the role the Family Research Council played in preventing our nation from having to endure another Surgeon General who thinks condoms and kids go will together, homosexuality is morally neutral, and legal abortion up until the moment of birth is every woman's right and desire."
They admit that their research is being used by presidential candidates, although they say they do not wish to endorse any particular one. Finally, they claim that President Clinton's decision not to file a legal brief with the U. S. Supreme Court on Amendment 2 is a tribute to the growing realization of the strength of the pro-family movement.

Hearings Postponed
Anti-gay extremist, Lou Sheldon, who has called for men, women and children with AIDS to be confined in concentration camps, had been promised a congressional hearing to air his prejudices before the House Economic and Employment Subcommittee on Oversight and Investigations Subcommittee of the House Education Committee on September 12th. Due to public response, the hearing will be postponed.

Lou Sheldon, a lobbyist for the Traditional Values Coalition, had communicated in a fundraising letter his intentions to use the taxpayer-funded forum to attack local school efforts to prevent AIDS, violence and suicide, and sought donations to mount a $25,000 media campaign to publicize the event. The hearings have been delayed indefinitely while efforts are being made to ensure fairness and balance in the selection of witnesses.

Lesbian and gay youth suicide are at high risk of bias-motivated violence and suicide, and Sheldon's attempt to target these youth for discrimination is very mean-spirited to say the least. Traditionally, local communities and state education boards set guidelines for curriculum, counseling and instructional materials — not the federal government. Some communities have adopted modest programs to address an epidemic of violence and discrimination against lesbian and gay youth in schools. Sheldon claims that such local efforts are actually part of a covert plan to "promote' homosexuality, rather than to prevent discrimination.

You can still let the chairman of the subcommittee know how you feel about this issue by calling or writing:

Subcommittee Chair:
Rep. Peter Hoekstra (R-MI)
202-225-4401

Ranking Democrat:
Rep. Thomas Sawyer (D-OH)
(202)225-5231

Family Planning in Danger!

The Title Ten Program is the cornerstone of federal family planning programs for low-income women and teens. Title Ten funds contraceptives and exams; it does not pay for abortion services. For 25 years it has prevented unplanned pregnancies and reduced the number of abortions in this country.

On July 20th, led by Rep. Robert Livingston (R-LA), the U.S. House Labor/HHS Committee completely gutted Title Ten; Rep. Livingston was quoted as saying it was "payback time" for the Christian Coalition and its help in the 1994 elections. The House of Representatives voted on August 3rd to retain the Title Ten Family Planning Program...BUT, the Colorado National Abortion and Reproductive Rights Action League expects additional amendments to try and gut this valuable program in the U.S. Senate. By the time you read this, the vote may already have been taken, but that doesn't mean that the message to your elected officials is not important. Please call your Senators today:

Sen. Hank Brown
(202) 224-5941 or 844-2600
Sen. Ben Nighthorse Campbell
(202) 224-5852 or 866-1900

Ryan White CARE Act News

The Ryan White CARE Act passed the senate in July with a 97-3 vote, despite attempts by Jesse Helms to defeat it and add numerous restrictive amendments. Most of Helms' attempts to derail Ryan White funding were defeated although a slightly less dangerous version of his amendment restricting funds from going to agencies which "promote homosexuality" did pass. The struggle for full reauthorization is not over yet. The House will be voting on Ryan White funds soon. We need to communicate with all of our representatives in Congress to let them know that we want them to support full funding for the Ryan White CARE Act.

Colorado Representatives in Congress

Rep. Wayne Allard
422 Cannon House Bldg.
Washington, D.C. 20515
202-225-4676
Fort Collins: 970-493-9144

Rep. Joel Hefley
2351 Rayburn House Bldg
Washington, D.C. 20515
202-225-4422
Co. Springs: 719-520-0055

Rep. Scott McInnis
215 Cannon House Bldg
Washington, D.C. 20515
202-225-4761
Pueblo: 719-543-8200

Rep. Dan Schaefer
2351 Rayburn House Bldg.
Washington, D.C. 20515
202-225-7882
Englewood: 303-762-8890

Rep. Pat Schroeder
2307 Rayburn House Bldg.
Washington D.C. 20515
202-225-4431
Denver: 303-866-1230

Rep. David Skaggs
1124 Longworth House Bldg
Washington D.C. 20515
202-225-2161
Westminster: 303-650-7886

Out and About: News and Action

Ex-principal settles suit in Jeffco
The former principal of an alternative school in Jefferson County has reached a tentative settlement in a lawsuit against school board members. Karla Myles says she was fired after a "witch hunt" because she is a lesbian. Myles was interim principal of the district's Open School until May 1994. The school board fired her for alleged sexual harassment of a female staff member. No details of the settlement were released.

Phelps Phfound in Phfault
The Rev. Fred W. Phelps Sr. was found guilty in August of using abusive language in a confrontation with a party of diners at a Topeka restaurant. The incident occurred in July. The verdicts marked the first time Phelps has been convicted of any crimes since his Topeka church began its picketing against gays in the summer of 1991. Phelps plans an appeal.

Sodomy = Homosexuality. . .WHAT?!?!?!
A county coroner in Washington state has blamed the sexual abuse and murder of a nine-year-old girl on homosexuals. Dr. Dexter Amend, Spokane County Coroner, said in August, ". . .sodomy is a homosexual act. . .To have everybody think homosexuality is OK is a bunch of baloney. I don't care what the political ramifications are on this. It's a horrible, unbelievable thing that this child went through and they (homosexuals) destroyed her life." The body of the girl was found near the Spokane River in June. Police arrested her uncle, Jason Wickenhagen, who confessed to the killing. Dr. Amend added, "AIDS is a disease that comes from anal intercourse and homosexuals have anal intercourse."

Contact Dr. Amend and let him know what you think of his logic. Spokane County Coroner's Office, W. 1201 Broadway, Spokane, Washington 99206, (509)456-2296. Ask the County Commissioners, George Marlton, Steve Hasson and Phil Harris to demand Dr. Amend's resignation. county Commission, 1116 W. Broadway, County Courthouse, First Floor, Spokane, Washington 99260-0100; (509)456-2265

Stuff it Rush!
Tired of the right-wingers having the last word on radio talks shows? Here's your chance to talk back. The Mobilization for Survival, a non-profit progressive alliance of Milwaukee, WI, has developed a kit to help listeners stand up to airwave bullies. For more information, contact the Mobilization for Survival, 1001 E. Keefe, Milwaukee, WI 53212, or call (414) 964-5158.

World Wide Wed...ur...Web
Now three months old, the World Wide Web site established by Partners Task Force for Gay & Lesbian Couples has more than 350 weekly visitors. The site is dedicated to the needs of same-sex couples and features a wide variety of free information. There is also a "Couples Gallery," which has photographic portraits of committed couples that Internet users can view on their Web browsers. Also on the Web site are sound files from the video "The Right to Marry," a documentary being produced by the Task Force in support of this civil right. Here's the address: http://www.eskimo.com/~demian/partners.html. Or write Partners, Box 9685, Seattle, WA 98109-0685.

Is Affirmative Action a "Gay Issue?"
Some might argue that race and gender affirmative action is not a "gay issue." However, race and gender affirmative action provides important redress for the race and gender discrimination faced by lesbian, gay, bisexual, and transgendered people of color and lesbian and bisexual women. It is important that we remember and include all of the lesbian, gay, bisexual, and transgender community when we fight for our rights. The Radical Right is behind a wide range of measures targeting oppressed groups--elimination of affirmative action, welfare reform, and anti-immigrant legislation--in addition to the stripping of rights of gays, lesbians, and transgendered people. Call of write your Senators and Representatives. Call or write President Clinton. Lobby your employers to do the same.

Denying Rights in Maine
An anti-gay rights measure is on the November ballot in Maine. It seeks to deny basic rights to lesbians, gays and other people by excluding them from a list of protected groups under Maine's anti-discrimination laws. It reads as follows: "Do you favor the changes in Maine law limiting protected classifications, in future state and local laws to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status, and repealing existing laws which expand these classifications as proposed by citizen petition?" Any group left off of this list would then not be covered under existing or future anti-discrimination laws. It is an attempt to do the same thing which Amendment 2 did here in Colorado using different language. A coalition of individuals and groups opposing the measure has formed called Maine Won't Discriminate. The group seeks to defeat the ballot initiative.

Hawaii Decision Delayed
A circuit judge in Hawaii has postponed a hearing on Baehr vs Lewin that could result in the legalization of same-sex marriage from September 1995 to July 1996. The delay will give a new commission time to complete its research on sexual orientation and the law. Hawaii Equal Rights Marriage Project is discouraged by the delay but says it is an opportunity to educate the public on this issue.

Students Assaulted for Being Gay
Eight children claimed they were gang raped because they are gay by other students at public schools in Seattle. The rapes were among nearly 30 anti-gay attacks in Seattle schools since 1990. The Safe Schools Coalition reports the attacks in what is believed to be the first report of its kind in the nation. Researchers did not corroborate the accounts which were gathered through telephone interviews due to confidentiality. The state superintendent of public instruction has promised to review the findings and take action.

Dole Returns Contribution
Last month, Republican Presidential candidate Bob Dole returned a $1,000 campaign contribution from the Log Cabin Republicans, an organization of gay GOP activists. He reportedly does not support the same "agenda"as the gay group. But Dole has accepted contributions from some executives of entertainment companies that produce movies and music that the senator has criticized in the past for glamorizing violence. A Dole spokesman says the Log Cabin Republicans push a narrow political agenda that is at odds with the candidate, while the entertainment executives are listed as individual donors and not groups. Perhaps part of the reason behind the returned money can be found in campaign strategy. Dole advisors say the senator needs to build "an ideological attachment" with conservative voters who dominate the voting in primaries.

Veterans Department Approves Sexual Orientation Policy
In August, The U.S. Department of Veterans Affairs became the latest cabinet-level government department to add sexual orientation to its non-discrimination policy. The Human Rights Campaign Fund (HRCF) applauded the department's decision: "The VA is sending a clear message of fairness to its employees. When it comes to employment practices, the abilities and performance of the individual workers are what matter, not their sexual orientation."

Lutherans Stall on Sexual Statement
The Evangelical Lutheran Church in America has postponed action on a churchwide sexuality statement. The denomination has wrangled with the issue for seven years without consensus on the ordination of homosexuals or the blessing of same-sex relationships. An initial statement said the Bible supported homosexual relationships but was withdrawn after criticism. An altered version angered liberals and conservatives in the church. ELCA rules proclaim that "human sexuality is a gift from God." But only married heterosexuals are permitted to enjoy the gift.

"From the home office in Sioux City. . ."
The Sioux City Human Rights Commission will wait until after the November election to debate a proposal to extend legal protections to homosexuals. The group has voiced private support for adding sexual orientation to the list of classes with protection from discrimination. Council members don't want the issue to become politicized before the next council election. Only two cities in Iowa, Ames and Iowa City, include sexual orientation in their anti-discrimination laws.

Same Sorry State in Saugatuck
Lawmakers in Saugatuck, Michigan have unanimously rejected a proposal that would prohibit discrimination on the basis of sexual orientation. Under pressure from neighboring city, Douglas, which passed a law prohibiting discrimination based on sexual orientation, leaders in Saugatuck said supporting a policy that protects gays and lesbians is too controversial. Saugatuck is considered a mini Provincetown, a vacation resort in the Midwest where many gay dollars are spent.

Bubbly for Everyone!!
A Miami company will handle advertising, marketing and public relations for Rainbow

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continued from page 5

Spirits, a new line of premium-priced alcoholic beverages aimed at gay and lesbian consumers. Howard R. Miller Communications will introduce the products nationally by early next year. Fifty percent of the profits from the brand in each market will be contributed to local organizations involved in AIDS research or clinical drug testing.

Adoption Update in Chicago

A Cook County judge has granted two lesbian couples adoption petitions only days after a ground-breaking legal decision that recognized the right of unmarried couples to adopt children. The women wanted to adopt their partners' children. Lawyers for the women had argued that it was no more legitimate to raise sexual orientation as an issue in predicting the future stability of the families than it would be to use the high divorce rate in the United States to make similar assumptions about heterosexual couples.

Zimbabwe President Not Welcome in South Africa

President Robert Mugabe of Zimbabwe was jeered when he arrived in Johannesburg this summer for a summit of the Southern African Development Community. Mugabe had recently banned a display by the Gay and Lesbian Association of Zimbabwe at the country's annual book fair. Mugabe has since called homosexuals "perverts and sodomists." South Africa is the only country in the world whose basic law expressly forbids discrimination based on sexual orientation.

GLOBEwide Security

The Federal Gay, Lesbian and Bi Employee group GLOBE has produced "Security Clearances in the Wake of the New Executive Order", that can help lesbian, bi and gay folks through the process of applying for a security clearance. Applying for a security clearance is not limited to government employees; employees of many federal contractors, a security clearance is required in order to get high-level jobs.

To order your copy of "Security Clearances", contact GLOBE: POB 45237, Washington, D.C. 20026-5237 or call 202-986-1101.

The Empire Strikes Back

The University of Alaska, in order to comply with a court order, has instituted a new policy providing benefits to domestic partners. The action comes as a result of a suit filed January, 1994 by two University of Alaska employees.

The Juneau Empire, the only newspaper in the state capitol has published a blistering editorial saying that "Benefits for domestic partners threatens not only traditional family values, but also the pocketbooks of every Alaskan..." The editorial is filled with the standard misinformation and anti-family defenses of domestic partner benefits, including that covering domestic partners is expensive, destroys the family and is bad public policy. Write the Editor of Juneau Empire: 3100 Channel Drive, Juneau, Alaska 99801 fax: 907-586-9097 and ask that they tell the truth. The experience of municipalities who have instituted domestic partnership including Berkeley, CA and Madison, WI among others, has proven that the cost is extremely minimal. Providing domestic partner benefits promotes true family values by allowing people to take care of each other.

The PFLAG Colorado School Project: Creating a Safe and Supportive School Environment for Gay Youth

Gay, lesbian, bisexual and questioning youth have a tough time of it in Colorado's middle schools and high schools and for that matter, in most schools across the country. Desperate for knowledge about their innate sexual orientation, they are often met by a wall of silence in the classroom. Conflicted by the stigma that an ill-informed society lays upon them, many become isolated and withdraw from family and friends. Some are harassed and physically abused by other students. A high percentage drop out of school. Gay and lesbian teenagers commit suicide at almost three times the rate of other teenagers, and Colorado's youth suicide rate is one of the highest in the nation.

In short, during their middle school and high school years, our gay youth are at greater risk than their heterosexual peers, and little or nothing is being done to help them. PFLAG deplores this inequity. Tragic consequences can occur without a safe and supportive school environment for **all** students.

The PFLAG Colorado School Project will:

- alert school personnel to the needs of gay, lesbian, bisexual and questioning youth
- provide up-to-date educational material on human sexuality
- inform counselors of available counseling and support programs
- offer guidelines to combat prejudice and harassment
- offer a speaker's bureau for school personnel and parents.

Together, we can create a safe and equitable school environments for all children.

PFLAG - Parents, Families and Friends of lesbians and gays is a non-profit, tax-exempt organization with over 360 chapters worldwide, offering support and education to families and to the community. The Coalition of Colorado PFLAG chapters includes Boulder, Collegiate Peaks, Colorado Springs, Denver, Durango, Estes Park, Evergreen, Fort Collins, Grand Junction, Greeley, Longmont, Loveland, Pueblo and Summit County.

To get more involved in this project, find out what is happening or make a donation, please contact:

PFLAG Denver,
PO Box 18901
Denver, CO 80218
303-333-0286

EQUALITY COLORADO

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against discrimination based on sexual orientation only in Denver, Boulder, Aspen, Telluride and Crested Butte and an executive order by Governor Romer protecting state employees. Many private companies have their own policies which wouldn't be affected by A2.

A decision is expected from the U.S. Supreme Court in the first half of 1996. Let's hope it affirms the Colorado Supreme Court's ruling that Amendment 2 is not constitutional. Regardless of the outcome though, this struggle is far from over.

Fifteen Things YOU Can Do to Support Gay, Lesbian, Bisexual and Transgendered Equality

1. Talk to people about who you are and why you support glb equality, regardless of your own sexual orientation - put a human face on it

2. write letters to the editor

3. write letters to your senators, representatives and other elected officials letting them know how you feel

4. volunteer your time with a gay, lesbian, bisexual organization

5. give money

6. attend events, rallies, meetings

7. get involved, stay informed

8. register to vote and vote

9. wear a button saying you support equal rights for all

10. BE PROUD

11. respond to remarks and jokes that degrade people because of who they are

12. Pass this list on to other people.

13. Host a discussion group in your home

14. Don't tolerate discrimination against anyone

15. DON'T BE SILENT: SPEAK OUT

Marriage Rights: What's Going On, Why now?

There has been a great deal of conversation about same-gender marriages recently and increasing organizing about this issue. Many people are asking why this is happening now and what is going on. The following article by Karen Taylor, a Colorado attorney gives a synopsis of the legal arguments around the case of Baehr v. Lewin in which same-sex couples in Hawaii applied for marriage licenses, were denied and took the case to court. This case has repercussions for lesbians and gays all over the country both in terms of the recognition between states of legal marriages if same-gender marriage becomes legal in Hawaii and because of the backlash from the radical right even before the case is finished in Hawaii.

Currently, the Hawaiian same-sex marriage case, *Baehr v. Lewin*, 852 P.2d 44 (Haw. 1993), appears unlike most other court cases that have considered marriage rights for gays and lesbians — unless the Hawaiian legislature takes drastic measures (such as amending its state constitution), the same-sex couples who have taken legal action seeking the right to marry most likely will win. When the case goes to trial next year, the state of Hawaii faces an imposing legal hurdle in its efforts to deny same-sex marriage rights. In order for the state to win, it must prove that a "compelling state interest" justifies its refusal to issue marriage licenses to same-sex couples. If the state can prove such an interest, it must also then show that its refusal to issue the licenses is no broader than necessary to vindicate the compelling interest. Courts call this legal test "strict scrutiny" and, often, state actions that are analyzed under strict scrutiny are ruled unconstitutional. Therefore, the success of the gay and lesbian couples seeking marital rights in Hawaii seems likely.

Furthermore, because the same-sex couples alleged that the state's denial of marriage licenses violated a provision of the Hawaii constitution prohibiting gender discrimination, *Baehr v. Lewin* will never reach the United States Supreme Court. Under our federal system of government, the United States Supreme Court generally only has the power to hear cases alleging a violation of the federal constitution and disputes between or among states. The U.S. Supreme Court cannot review state court's decisions based on state constitutions. Consequently, the hawaii courts have the final say on whether or not same-sex marriage will be recognized in that state.

Once the issue is settled in Hawaii, however, the fight will just be beginning for the rest of the nation. In some states, the fight has already begun. Some states have already recognized that before long, a same-sex couple married in Hawaii will move to their states and, in the course of time, demand that some benefit provider (hospital, insurance company, or state agency) recognize their marital status for some purpose (discounts, visitation rights, or property inheritance). In anticipation of the arrival of same-sex couples within its borders, Utah, recently amended its marriage statutes to specifically deny legal status to same-sex marriages, wherever they are solemnized. Other states have and will try to follow Utah's example.

Once a married same-sex couple moves from Hawaii to another state and is denied a benefit or somehow punished because a state refuses to recognize their marriage, the resulting lawsuit will be one that can reach the United States Supreme Court. That lawsuit will most likely reach the court on a claim based on the Full Faith and Credit Clause of the United States Constitution. The clause commands that 'Full Faith and Credit shall be given in each States to the public Acts, Records, and judicial Proceedings of every other state.' U.S. Const. art. IV, 1. If a state refuses to recognize the validity of a Hawaii marriage, the same-sex couple could sue the state, claiming that the Full Faith and Credit Clause requires the state to recognize their valid Hawaii marriage.

The resulting legal battle will be very complicated. Although on its face the Full Faith and Credit Clause would seem to absolutely require another state to recognize valid same-sex marriages performed in Hawaii, caselaw interpreting the clause indicates that it is not as absolute as it appears.

The U.S. Supreme Court has already considered the effect of the Full Faith and Credit Clause on Divorces. In *Williams v. North Carolina*, 317 U.S. 287 (1942), the U.S. Supreme Court ruled that North Carolina could not refuse to recognize an ex parte divorce (a divorce secured with only one spouse present), granted in Nevada, on the grounds that it violated North Carolina's public policy. North Carolina argued unsuccessfully that granting full faith and credit to the Nevada divorce decrees would lead to a 'race to the bottom' and substantially dilute the sovereignty of other states. The Supreme Court rejected North Carolina's arguments, finding that the very purpose of the full faith and credit clause was to alter the status of the states and make them integral parts of one nation considering that "the price of our federal system."

Prior Supreme Court decisions like *Williams* seem to indicate that other states will be required to recognize Hawaii same-sex marriages just as other states have been required to recognize Nevada divorces. If the Supreme Court decided that the Full Faith and Credit Clause does apply to the Hawaii marriages, then other states, whether or not they chose to solemnize same-sex marriages themselves, would be required to recognize valid Hawaii marriages.

However, the Supreme court may decline to apply the Full Faith and Credit Clause to same-sex marriages. On one hand, it is long and well-settled law that other states must give recognition to the *judgements* of omer states — divorces, such as the Nevada proceedings, are judgements of dissolution entered by a court. On the other hand, states have not been equally required to recognize the *statutes and laws* of sister states. This distinction rests on an amorphous "public policy exception" to the full faith and credit clause. Decisions of the Supreme Court in another case, Nevada v. Hall (1979) "clearly establish that the Full Faith and Credit Clause does not require a state to apply another state's law in violation of its own legitimate public policy."

The right to same-sex marriage in Hawaii is predicated on its state constitution — its laws. Thus the court might rule that the Full Faith and Credit Clause applies to Hawaii same-sex marriages but at the same time recognize the public policy exception. This exception could allow states to refuse to recognize marriages solemnized in Hawaii if to do so would violate the state's public policy.

Since most courts look to a state's constitution and statutes to determine its public policy, the Full Faith and Credit analysis could apply differently in different states. For example, in a state such as Utah, which has specifically stated its policy position regarding same-sex marriage— specifically outlawing it by statute — the public policy exception could allow the state the ability to refuse to grant full faith and credit to marriages performed in Hawaii.

A similar fight over public policy would probably ensue in Colorado. Currently in Colorado, however, the public policy of the state is not so clear. Historically, the state has been willing to recognize the validity of marriages performed in other states when they would be illegal if performed in Colorado (for example, because the couple is underage). The courts have even upheld marriages performed in other states when the couples admitted they were getting married in the other state to avoid stricter marriage laws in Colorado. Other issues such as the repeal of sodomy laws and the prohibition against sex discrimination in the Colorado constitution could also be used to show public policy support for recognizing same-sex marriages.

Undoubtedly, the battle over national recognition of same-sex marriages will be lengthy and complicated. However, after July, 1996, it will be almost certain.

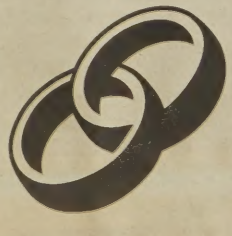
If you have any questions or comments about this article or any other issues surrounding same-sex marriages, please contact the Colorado Marriage Rights Project, c/o Equality Colorado, P.O. Box 300476, Denver, CO 80203.

Here are a few of the benefits that same-sex couples are often not eligible for currently that heterosexual married couples enjoy:

- file joint tax returns and get special marriage or family rates or exemptions
- obtain joint insurance policies for home and auto as well as family health coverage
- inherit automatically in the absence of a will
- inherit jointly-owned real and personal property through right of survivorship
- determine medical decisions on a partner's behalf in the event of illness
- obtain wrongful death benefits for a surviving partner and children
- apply for immigration and residency for partners from other countries
- obtain domestic violence protection orders

In total, there are hundreds of legal rights and responsibilities that come with civil marriage. Most of these benefits cannot be privately arranged or contracted through other means, even for those who can afford a lawyer. Furthermore, private employers, businesses, and banks often extend important benefits and privileges - such as special rates or memberships - to married couples only.

Not every gay or lesbian person wants the right to marry, but it ought to be a choice that people can make as to whether they marry or not in the same way that heterosexual can make that choice.



Notable Quotables

"A ban on new laws to protect homosexual rights...do not deprive homosexuals of ... any right to ask that laws be passed to safeguard them from bias..."
an example of newspeak from a May 13th Denver Post article

"I don't hate fundamentalists: I hate the wicked sin of Pharisaical fundamentalism. I cannot condone the bigoted, selfish, addictive 'fundamentalist lifestyle'".
letter to the editor in San Antonio Express News

"You're born naked and the rest is drag."
RuPaul to the LA Times

"If we cannot end our differences, at least we can help make the world safe for diversity."
John F. Kennedy

"After all, the purpose of changing government is to improve the lives of our citizens, to strengthen the future of our children, to make our neighborhoods safe and to build a better country."
Newt Gingrich from his speech to the nation

"A low voter turnout is an indication of fewer people going to the polls."
Dan Quayle

"We abhor violence against homosexuals. We would counsel strongly in relation to homosexuality — that you can hold your religious beliefs without beating people up and being violent."
Pat Robertson on "The 700 Club"

"Has somebody got a problem here? Because if you've got a problem, we'll lay our hands on you and solve the problem. But you'll still be gay. No one in this church is a mistake."
Reverend Thandekiso in Johannesburg, South Africa

"Because you mentioned the biblical basis for your beliefs, since the Ten Commandments mention adultery and not homosexuality, and adultery is condemned at least 40 times more than homosexuality in the Bible, should we keep anyone out of the service who has committed adultery? My recollection of my Army days is that would thin our ranks appreciably. "
Senator Paul Simon in his newspaper column

"If there is a military emergency and we have a draft, would you exempt anyone who says he is gay? The percentage of those claiming to be gay would suddenly escalate!
If people cannot serve in the armed forces, what about the police force or fire department? What jobs would you let them have? Once you start the practice of discrimination, where do you stop?"
Senator Paul Simon from the Congressional Record

"Senator Jesse Helms thinks my life is 'disgusting' and 'revolting' and 'unnatural.' ... I wish. The truth of the matter is that I don't have time to be debauched and depraved—let alone 'revolting'—and neither do most of the gay men and lesbians I know. They're too busy editing national magazines, watering the lawns of their country homes, driving their kids to softball practice, ... or checking their patients' CAT scans to pick up the phone and say, 'Have you heard? There's a pot-luck orgy tonight! You bring the Reddi-Whip!"
Columnist Frank DeCaro in Long Island's Newsday

Equality Colorado
PO Box 300476
Denver, CO 80203

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